

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendants.

12 Misc. 00115 (JSR)

In re MADOFF SECURITIES

PERTAINS TO THE FOLLOWING CASES:

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

12 Civ. 2318 (JSR)

ROBERT ROMAN,

Defendant.

**DECLARATION OF OREN J. WARSHAVSKY, PURSUANT TO 28 U.S.C. § 1746,  
IN SUPPORT OF TRUSTEE'S MEMORANDUM OF LAW IN OPPOSITION  
TO DEFENDANT'S MOTION TO WITHDRAW THE REFERENCE**

Pursuant to 28 U.S.C. § 1746, OREN J. WARSHAVSKY hereby declares as follows:

I am a partner at the firm of Baker & Hostetler LLP, counsel for Plaintiff Irving H. Picard (the “Trustee”) for the substantively consolidated liquidation proceeding of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.*, and the estate of Bernard L. Madoff. As an attorney of record, I am fully familiar with this

case and the facts set forth herein. I respectfully submit this Declaration to place before this Court true and correct copies of certain documents relevant to the Trustee's memorandum of law in opposition to the defendant's Amended Motion to Withdraw the Reference filed in the following action: *Picard v. Robert Roman*, Adv. Pro. No. 10-04292 (Bankr. S.D.N.Y.) (BRL), No. 12 Civ. 02318 (JSR) (S.D.N.Y.) (ECF No. 4).

1. Attached hereto as Exhibit 1 is a true and correct copy of the complaint filed by the Trustee against the defendant in the above-captioned action.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 10, 2012.

/s/ Oren J. Warshavsky

Oren J. Warshavsky